Rejections under 35 U.S.C. 103

Claims 15-20 and 23-24 are rejected under 35 U.S.C. 103 as being unpatentable over EP 594509 and Matsuo et al. (5,540,791). The Examiner notes that the cited references disclose the features of the present invention including the claimed elements added to form the aluminum base alloy of the present invention. The Examiner further rejected claims 21-22 as being unpatentable over the prior art references in light of the prior art admission in page 1, lines 6-27 of the present application.

Applicant respectfully notes that claim 15 has been amended to more clearly recite the affirmative step of "reducing the susceptibility to dross-forming of said aluminum alloy melt by adding to said melt from 0.02 to 0.08 wt.% vanadium and from 11 to 50 ppm beryllium". Neither of the prior art references cited by the Examiner teach the addition of differing amounts of vanadium and beryllium chosen so as to reduce the susceptibility to dross-forming in the aluminum alloy melt. With specific reference to EP 494509, it is recited on page 3, line 19, that "Mn, Cr, V and Zr are added in order to improve the hot workability of the alloy". As can be seen from examination of these prior art references, neither reference, taken alone or in combination, teach or suggest reducing the susceptibility to dross-forming of the aluminum alloy by adding vanadium and beryllium. As a result of this amendment, the Examiner's rejection of claim 15 is traversed. As claims 16-24 are

dependent upon claim 15, claims 16-24 are likewise considered to be in condition for allowance.

New Claim

There has been added claim 25. Claim 25 comprises the limitations of claim 15 as amended herein as well as the additional step of "holding said aluminum alloy melt for a time greater than 50 hours". As claim 25 possesses all of the limitations of claim 15, claim 15 now believed to be in condition for allowance, as well as the additional step of holding the aluminum alloy melt for a period of time, claim 25 is likewise believed to be in condition for allowance. Applicant further notes that antecedent basis for the addition of the holding step may be found in the application in Table 2 wherein there was achieved a period of holding time before the formation of dross ranging from 68 to 171 hours. It is an essential feature of the present invention to chose a low concentration of Be as well as V so as to reduce the formation of dross of an aluminum alloy held in its melt state for a prolonged period of time. Therefore, as stated, claim 25 is believed to be in condition for allowance.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the

Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

HUBERT KOCH

By _____
Jeffrey R. Ambroziak
Attorney for Applicant

Area Code: 203
Telephone: 777-6628
Telefax : 865-0297

Date: July 9, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on

July 9, 2002

Antoinette Sullo

Signature

7-9-02

Date of Signature

AMENDED CLAIM

15. (Amended) Process which comprises: providing an aluminum alloy melt having a magnesium content of at least 2.5 wt.%; and reducing the susceptibility to dross-forming of said aluminum alloy melt by adding to said melt from 0.02 to 0.08 wt.% vanadium and from 11 to 50 ppm beryllium [and thereby reducing the susceptibility to dross-forming of said aluminum alloy melt].